

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENWOOD DIVISION

CASE NO: 8:19-CR-181

UNITED STATES OF AMERICA,
vs.
DANNY MORALES LOPEZ,
Defendant.

**PRELIMINARY MOTION TO SUPPRESS AND MOTION FOR LEAVE
TO FILE ADDITIONAL GROUNDS TO SUPPRESS AFTER COURT
RULES ON PENDING MOTIONS AND DISCOVERY HAS BEEN COMPLETED**

NOW COMES the defendant, and moves this Honorable Court for an Order to suppress as evidence any and all physical objects, pre-arrest and post-arrest statements of the defendant, and any and all other physical evidence which was obtained by the government as a result of any illegal interrogation or an illegal arrest of the defendant or an illegal search and seizure of certain items by the government, all in violation of the Fourth, Fifth and Sixth Amendments to the United States Constitution.

The defendant's motion is made pursuant to Rule 12(b)(3) and Rule 12(d)(2), of the Federal Rules of Criminal Procedure in conjunction with Rule 16(1)(A). The defendant does not at this time have sufficient information to make more specific his motion to suppress inasmuch as the government has not released information pursuant to defendant's motion for discovery, but upon further investigation and further compliance with that request the defendant hopefully will have sufficient information upon which to file a supplement to the motion to suppress.

Furthermore, at this time the defendant is not aware of what authority the government used to search the defendant or his residence to make the motion more definite and certain.

Furthermore, the defendant has not been apprised of any oral or written statements made by the defendant to more fully address any grounds of suppression.

WHEREFORE, the defendant prays as follows:

- (a) That the Court grant this motion to suppress evidence now in the possession of the United States Government;
- (b) That the Court grant a hearing on the defendant's motion;
- (c) That the defendant be allowed to amend and supplement this motion as new facts become available; and,
- (d) For such other and further relief as this Honorable Court deems just and proper.

Respectfully submitted,

s/ Jack B. Swerling
JACK B. SWERLING (ID# 4406)
Law Offices of Jack B. Swerling
1720 Main Street, Suite 301
Columbia, South Carolina 29201
(803) 765-2626
Email: jacklaw@aol.com

Attorney for Defendant

Columbia, South Carolina
March 27, 2019